

**STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
OFFICE OF CONSERVATION AND COASTAL LANDS
Honolulu, Hawaii**

January 13, 2011

180-Day Exp. Date: January 17, 2011

**Board of Land and
Natural Resources
State of Hawaii
Honolulu, Hawaii**

REGARDING: Conservation District Use Application (CDUA) OA-3548
for the Hawaii Loa Campus Expansion

**APPLICANT/
LANDOWNER:** Hawaii Pacific University (HPU)

AGENT: Group 70 International, Inc.

LOCATION: 45-045 Kamehameha Hwy., Kaneohe, Koolau-poko, Oahu
TMK: (1) 4-5-035:010

AREA of Use: Approximately (≈) 132 acres

SUBZONE: Hawaii Loa College Special Subzone

BACKGROUND

On August 12, 1966, the Board of Land and Natural Resources approved a request to use approximately 149-acres of conservation land in Kaneohe for a liberal arts college under a proposed development schedule in 5 increments that could be described as the first Master Plan for the area that was to be completed by September 1971. This plan included student & faculty housing, a chapel, a library, a performing arts building, a student center and athletic facilities and field house.

On June 10, 1968, §2.A of Regulation 4 (former Conservation District rules) were amended to establish the Hawaii Loa College Special Subzone.

As the campus developed, additional facilities beyond the Master Plan were proposed. With proposed improvements that were outside of the scope of the Master Plan, the college had to get authorization for new proposals. The Board approved amendments to the Master Plan in 1984, 1992, 1994, 1996 and 1997 for additional improvements. Other authorizations were received via Conservation District Use Permits (CDUP) and Site Plan Approvals. By 2006, some of the original facilities were at the end of use and the campus was beginning to outgrow its infrastructure.

Staff realized that having the college come back for each additional improvement was cumbersome and a drain on resources. With the approval of CDUP OA-3391 for the Hawaii Pacific University Hale Kou Force Main, staff conditioned the permit and required that the college submit to the Department a Master Plan for the Hawaii Pacific University-Hawaii Loa Campus by June 30, 2012.

DESCRIPTION OF AREA AND CURRENT USE (Exhibits 1 & 2)

The Hawaii Pacific University Hawaii Loa campus exists on the windward side of Oahu facing the Koolau range. The site is large with steep slopes and dramatic terrain. The HPU campus is relatively dispersed over its 132-acre campus, but a large cluster of buildings is concentrated on the lower central part of the site closer to Kamehameha Highway. Existing facilities include an academic center, dining commons, 6 residential halls, 2 modular buildings, a maintenance building, parking areas for \approx 500 vehicles and landscaped areas. The campus is surrounded by Kalaniana'ole Highway to the southeast; Kamehameha Hwy to the west with the Pali Municipal Golf Course beyond; H-3 Freeway to the north; and undeveloped ridges to the east.

Electricity, water, sewerage are available to the property. Soils are well drained with moderately rapid permeability. FIRM maps indicate that the project area is located in Zone D, which is outside of the 500-year floodplain. Runoff through the HPU campus generally contributes to Mamalahoa Stream that flows near the western edge of campus. The region receives 60"-70" of rainfall annually.

An archeological and cultural impact assessment has been completed. The land has been modified with pineapple cultivation, military infrastructure and the early construction of the campus in the late 1960's and early 1970's. It is believed that no historic, archaeological or cultural sites are present within the project area.

A biological survey was conducted on the entire campus in November/December 2009. A majority of the project area is highly disturbed from a botanical perspective and the natural vegetation has been replaced with a manicured and maintained, park-like setting. Areas of natural forest surround the developed campus on nearly all sides. No protected species of plants were located and none are anticipated to occur in the site. The Pacific Golden-Plover was the only indigenous species recorded out of 371 birds observed. It is believed there are no known rare, threatened, or endangered species or significant habitats that exist on the project site.

Currently there is one ingress and egress point to/from Kamehameha Hwy. A Traffic Impact Analysis Report has been recently completed for the proposal in October 2010. During AM and PM peak periods, the Level of Service (LOS) is F or an unacceptable condition.

The Koolaupoko, Kailua and Waimanalo Hawaiian Civic Club have collaboratively initiated an Ahupuaa Boundary Marker Project. They request that the land behind the

HPU campus remain intact in order to preserve the landscape of the traditional ahupuaa boundary.

PROPOSED USE (Exhibits 3, 4, 5, 6, & 7)

Based upon concepts of the original design of the campus and recent collaboration of members of HPU faculty, students, alumni, administration and board, a conceptual Master Plan for the Hawaii Loa campus has been developed to create a vibrant campus community with a residential facet for the live-learn college experience. The proposed expansion is to accommodate expected growth in the Nursing and Natural Sciences programs. The additional housing and the proposed performing arts center, multi-purpose gym, and Academic Center will help HPU attain its goal of recruiting and retention of students.

According to the application, the Master Plan integrates the campus into the natural contours of the site using the elevation of 336' msl as the organizing level at which major gathering areas such as the Library, Bookstore/Café and the residential commons are linked. All other related spaces are one to two levels up or down from this elevation. The Plan realizes that one of the greatest assets of the campus is the natural setting-dramatic view of the Koolau range, mature canopy trees and the surrounding conservation lands.

The project is proposed to be done in two phases: Phase 1 includes construction of new buildings: 2-4 story residential buildings; a Student Center with a book store, rentals and retail area, gym, meeting rooms, administrative and student support space; Academic Center II with a library, data center, high tech classrooms, research labs, graduate suites and courtyard; and a central plant; renovation of the existing Academic Center and Dining Commons; a sculpture garden; relocation of an existing soccer field; mass grading and paving of a portion of a parking lot; and the removal of the modular buildings.

Phase 2 includes construction of a 600-seat Performing Arts Center; a Multi-Purpose Gymnasium; and paving the rest of the parking lot. An on-grade and accessible pedestrian path will connect all facilities from the parking area to the existing residences and dining commons. During inclement weather, walkways will be protected. Additional parking will be accommodated through the planned relocation of the existing soccer field and construction of a landscaped parking area.

A variety of flora, native and exotic is presented in the conceptual landscape plant palette. Plantings of exotic plants are requested as the existing landscape contains introduced species. Design strategies for the landscape plan include drip irrigation, rainwater harvesting and green walls-green facades with climbing plants or cascading ground covers that cover supporting structures.

The project would add parking for 400 vehicles and residences for 400 on-campus housing beds. The project will be designed to meet the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED) certification criteria. The

existing modular buildings will be demolished for the siting of new residential buildings. A new fire lane behind the Performing Arts Center will require relocation of existing electrical poles.

The construction of the facilities will include the formation and placement of concrete foundations, the installation of mechanical equipment and electrical wiring and equipment, general carpentry work, and finishing work. Substantial excavation is anticipated. The \approx earthwork quantity is 86,000cy of excavation and 146,000cy of fill. Excess material will be hauled offsite. A geotechnical investigation for the new facilities and recommendations for grading should be completed prior to initiation of construction documents.

Infrastructure improvements have recently taken place to accommodate the proposed improvements. Regarding water service, a new 12" water line, water meter and backflow preventer has been installed. An additional waterline and fire hydrants will be added in accordance with Fire Department requirements. A new sewage pump station and associated force main has been completed in 2009.

As the proposed project is expected to produce more runoff than under existing conditions, a retention basin, \approx 190' x 80' x 6' deep, near the new parking lot will be constructed to detain the additional runoff quantity during storm events. The use of retaining walls will be implemented but minimized to maintain the existing look of the campus.

An alternate ingress/egress point is envisioned for the west end of the project site. HPU proposes to conduct a traffic signal warrant analysis in the future should they wish to propose a traffic signal. However the decision to place a traffic signal at an entry to campus would be at the discretion of the DOT.

MITIGATIVE ACTIONS

As a large amount of land disturbing activities are proposed, Best Management Practices (BMPs) will be implemented pursuant to the required grading permit to mitigate any potential impacts of soil erosion and fugitive dust during any grading or excavation. The applicant proposes to balance the cut and fill quantities within each phase.

Noise and air quality potential impacts will be mitigated through compliance with the Department of Health regulations. All construction will occur during daylight hours. Drainage of the area shall comply with City regulations.

Should cultural or burial sites be identified during ground disturbance, all work shall cease and the appropriate agencies notified. Community members should be consulted in regards to the Ahupuaa marker.

Although not detected during the survey, Hawaiian Petrels, Shearwaters and the Hoary bat may be potentially impacted. All night-lights shall be shielded to mitigate potential disturbances to the avifauna and no woody plant greater than 15-feet shall be removed or

trimmed from May-August. Larger and mature trees will be preserved as necessary and practicable. There are no anticipated adverse impacts to the area's wildlife or habitat.

The proposed expansion will be integrated into the natural contours of the site and be similar in scale to the existing structures. No new rooftop will be higher than the existing Academic Center. Potential visual impacts may be shielded from view by heavy brush and trees. From some vantage points, the new rooftops may be seen.

It is believed that the proposed use will not cause any visual impact to any individual or community. The project site is currently heavily landscaped along Kamehameha Hwy., the main thoroughfare. The proposed structures will be set back from the highway and no landscaping will be removed from the front perimeter of the property.

The costs for the expansion are estimated to be approximately \$125 million for civil and construction costs for Phase I and II. The costs will likely be met primarily through private endowments, donations and fundraising. A specific funding program has not yet been developed. The intent is to develop the Master Plan in the phasing described. However, internal and external factors may affect implementation.

ALTERNATIVES

Three alternatives were considered: 1) An alternative location for the proposed project such as expansion of the Downtown facilities; 2) Larger scaled program of improvements and 3) no action alternative. Alternative 1 would require finding more space downtown of which there is a lack of and there would be no expansion of on-campus housing. The existing downtown campus is currently crowded and congested. Although alternative 2 may provide additional benefits, current economic restraints prevent this level of expansion. Alternative 3 would keep the existing campus in its present operation and capacity for $\approx 1,200$ students. However Fall 2010 enrollment is believed to be over 2,800 students.

SUMMARY OF COMMENTS

The application was referred to the following agencies for their review and comment-the State: Department of Land and Natural Resources Divisions of: Conservation & Resource Enforcement, Engineering, Forestry & Wildlife, Oahu District Land Office and Historic Preservation; the Department of Health, Office of Environmental Quality Control, Office of Hawaiian Affairs, Department of Transportation; the City Department of Planning; and the Kaneohe & Kailua Neighborhood Board. In addition, the CDUA was also sent to the nearest public library the Kaneohe & Kailua State Library to make this information readily available to those who may wish to review it.

STATE OF HAWAII

DEPARTMENT OF HEALTH (DoH)

Clean Water Branch (CWB)

Please review our standard comments on line. Any project and its potential impacts must comply with applicable sections of 11-54 and 11-55, HAR.

Applicant's response

By maintaining the existing drainage structures and flows contributing to Mamalahoa Stream, it is anticipated that the proposed drainage design will not impact the stream. No project work is anticipated within the stream area therefore we do not believe there will be any impacts to State waters.

Best management practices will be used to manage erosion, sediment loads and storm water discharges to stay within the National Pollution Discharge Elimination System (NPDES). We shall comply the State's Water Quality Standards and applicable sections of 11-54 and 11-55, HAR.

DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS

No comments

DEPARTMENT OF LAND AND NATURAL RESOURCES

Conservation and Resource Enforcement

No comments

Engineering

According to the Flood Insurance Rate Map (FIRM) the project site is located in flood Zone D. The Flood Insurance Program has no regulations for developments within Flood Zone D.

Applicant's response

Existing and proposed drainage improvements are designed to manage storm waters and mitigate any potential flood hazards. Building designs will also mitigate anticipated storm water impacts.

Forestry and Wildlife

No comments

Historic Preservation (SHPD)

We request that an Archaeological Monitoring Plan be prepared for review and acceptance by SHPD prior to the commencement of ground disturbing activities. The

Plan should specify the situations when a monitor will be called to the construction site. This project should not have a visual impact on the historic registered Kaneohe Ranch building. If an acceptable monitoring program is in place, we believe that no historic properties will be affected by this action.

Applicant's response

An Archaeological Monitoring Plan will be prepared for review and acceptance by SHPD prior to the commencement of ground disturbing activities. The Plan will specify the situations when a monitor will be called to the construction site.

Oahu District Land Office

No comments

DEPARTMENT OF TRANSPORTATION (DOT)

Highways Division

The campus expansion is not expected to significantly impact our State highway facilities.

Should HPU desire to eventually signalize the access intersection, it will have to prepare and submit for our review and approval a traffic signal warrant study to justify that the signal is warranted. However, permission to install a traffic signal, even if warranted, remains solely at the discretion of the DOT and if allowed will have to be made at no cost to the State.

Applicant's response

The proposed HPU expansion on the Hawaii Loa campus is not expected to significantly impact State highway facilities. Should HPU desire to eventually signalize the access intersection, a traffic signal warrant study will be prepared and submitted for DOT review and approval. It is acknowledged that even if warranted, the installation of a traffic signal remains solely at the discretion of the DOT and will not be a cost borne by the State or DOT.

CITY AND COUNTY OF HONOLULU

DEPARTMENT OF COMMUNITY SERVICES*

We note that HPU is a major economic contributor to the work force with 1100 employees. The proposed construction will create direct and indirect employment. The expanded facility will provide employment opportunities for teachers, researchers, laboratory scientist, athletic coaches, musicians, performing artists, food service workers and facility maintenance specialists. The planned nursing program will accommodate 1900 students who upon graduation would alleviate the shortage of nurses. The Hawaii

Loa expansion will include 400 beds for students who would otherwise compete for moderately priced rental housing on Oahu.

The large size of the site, the low profile of the proposed buildings, and the design of other improvements, including the integration of bus service to sister HPU facilities will assure minimal impacts on the surrounding Kaneohe community.

DEPARTMENT OF PLANNING AND PERMITTING

Please address the potential for rockfall hazard and if applicable mitigation measures.

Include discussion pertinent to HPU and major institutions in regards to the Koolau Poko Sustainable Communities Development Plan (KP SCP). Provide expanded discussion how the proposal addresses the policies, principles and guidelines listed in the KP SCP regarding major institutions and transportation systems.

Applicant's response

The hill behind the campus displays no evidence of boulders, but only soil and vegetation. Furthermore, the applicant is not aware of any history of rock, boulder, rockfall, or mudslide issue on any interior part of the campus. Any cuts for grading will be based on standard engineering practices with appropriate evaluation by a geotechnical engineer.

An area that posed a serious problem was the far eastern end of campus at Castle Junction. Heavy rains caused mudslides on the slope along the Pali Hwy. The slope was determined to be primarily on State property and required grading onto HPU property.

Pertinent discussion of HPU and major institutions will be incorporated in the final environmental document including expanded discussions regarding policies, principles and guidelines in the KP SCP including transportation systems. HPU operates a shuttle van service for students between its Downtown campus and Hawaii Loa campus. A 14-person van departs every 12 minutes on weekdays from 6:30 am to 6:30 pm; then every 30 minutes until 10 pm and every hour on Saturdays. There have not been any complaints regarding traffic and events at the Hawaii Loa campus.

FIRE DEPARTMENT (HFD)*

HFD access roads shall be located not more than 150' of an exterior wall of the building and an access road shall extend to within 50' of at least one exterior door that can be opened from the outside in accordance with the National Fire Protection Association (NFPA).

A county approved water supply capable of supplying required fire flow shall be provided to all premises. Buildings more than 150' from a water supply shall be provided with on-site fire hydrants with capable fire flow (NFPA).

**These comments were received late in the process.*

ANALYSIS

After reviewing the application, by correspondence dated July 28, 2010, the Department has found that:

1. The proposed use is an identified land use in the Hawaii Loa College Special subzone of the Conservation District for educational purposes pursuant to Exhibit 2 Special Subzones, Hawaii Administrative Rules (HAR). Please be advised, however, that this finding does not constitute approval of the proposal;
2. Pursuant to HAR, §13-5-40 (4) a Public Hearing shall be required;
3. In conformance with Chapter 343, Hawaii Revised Statutes (HRS), as amended, and Chapter 11-200, HAR, a finding of no significant impact to the environment (FONSI) is anticipated for the proposed project;
4. The proposed project is not within the Special Management Area.

Notice of this CDUA and draft Environmental Assessment (EA) was published in the August 8, 2010 Environmental Notice. A Finding of No Significant Impact (FONSI) was published in the October 23, 2010 Environmental Notice.

Presentations were made to the Kaneohe Neighborhood Board on August 19, 2010 and on October 7, 2010 to the Kailua Neighborhood Board.

A public hearing was held on September 29, 2010 at the Academic Center of the Hawaii Loa campus. No one from the general public attended. Consultants from Group 70 did a PowerPoint presentation and explained the project, phases, timeline and how the building envelope will be incorporated height wise and into the landscape.

CONSERVATION CRITERIA

The following discussion evaluates the merits of the proposed land use by applying the criteria established in §13-5-30, HAR.

1. *The proposed land use is consistent with the purpose of the Conservation District.*

The objective of the Conservation District is to conserve, protect and preserve the important natural resources of the State through appropriate management and use to promote their long-term sustainability and the public health, safety, and welfare.

The project is considered an identified land use in the Conservation District; as such, it is subject to the regulatory process established in Chapter 183C, HRS and detailed further in Chapter 13-5, HAR. This process provides for the application

of appropriate management tools to protect the relevant resources, including objective analysis and thoughtful decision-making by the Department and Board of Land and Natural Resources.

The proposed project will not impact special or unique cultural and natural resources. The site has been previously disturbed and does not include any known rare, threatened, or endangered species or sensitive natural habitats.

2. *The proposed land use is consistent with the objectives of the subzone of the land on which the use will occur.*

The proposed expansion of the campus shall contribute to the educational purposes of the Hawaii Loa college special subzone. The objective of the Special Subzone is to provide for areas possessing unique developmental qualities that complement the natural resources of the area. The proposed use is consistent with the existing subzone as it will expand on the current educational use and will maintain the overall character of the area by maintaining a vast amount of open space on the site.

3. *The proposed land use complies with provisions and guidelines contained in Chapter 205A, HRS, entitled "Coastal Zone Management," where applicable.*

The subject area does not lie within the Special Management Area. Staff believes the subject proposal complies with provisions and guidelines contained in Chapter 205A, HRS, entitled "Coastal Zone Management."

4. *The proposed land use will not cause substantial adverse impacts to existing natural resources within the surrounding area, community, or region.*

Staff believes the proposed land use will not cause substantial adverse impacts to existing natural resources within the surrounding area, community or region. Improvements are planned to generally remain within the existing developed area of the overall property.

5. *The proposed land use, including buildings, structures and facilities, shall be compatible with the locality and surrounding area, appropriate to the physical conditions and capabilities of the specific parcel or parcels.*

Staff believes the applicant shall take adequate measures to insure compatibility with the locality and surrounding area as design features and building materials of new facilities will complement the existing facilities. The low-density campus will be landscaped to blend in with the existing landscape that will also include a large buffer of trees to shield the site from the main public roadways.

The proposed improvements will be integrated into the natural contours of the site. The building is proposed to be a Leadership in Energy and Environmental Design (LEED) certified building.

6. *The existing physical and environmental aspect of the land, such as natural beauty and open space characteristics, will be preserved or improved upon, which ever is applicable.*

The proposed facilities will be situated where the buildings will have the least impact on the existing trees and landscape. Height wise the additions will be at the mid-point or to the existing academic center. Housing will be three to four stories in height. The University will continue to landscape with an emphasis on native vegetation and maintain open space. Staff believes the natural beauty and open space characteristics will be preserved and improved upon.

7. *Subdivision of the land will not be utilized to increase the intensity of land uses in the Conservation District.*

There will be no subdivision of land for this proposed project.

8. *The proposed land use will not be materially detrimental to the public health, safety and welfare.*

As the implementation of the proposed land use shall adhere to public health regulations, Best Management Practices for drainage, dust, erosion, and sediment control and building codes, Staff believes the proposal shall not be materially detrimental to the public health, safety and welfare.

DISCUSSION

The proposed improvements to the Hawaii Loa campus is complementary to the existing campus as it will expand the current educational use and will maintain the overall character of the area by retaining a vast amount of open space on the site. The project will contribute to the educational purposes of the Hawaii Loa college special subzone and create residences for students who would otherwise compete for moderately priced rental housing on Oahu.

The low profile of the proposed buildings, the design of improvements and landscaping will minimize impacts to the scenic views of the area. The proposed structures will be set back from the highway and no landscaping will be removed from the front perimeter of the property. The proposed buildings will be integrated into the natural contours of the site and be similar in scale to the existing structures. No new rooftop will be higher than the existing Academic Center. Potential visual impacts may be shielded from view by heavy brush and trees. From some vantage points, the new rooftops may be seen.

The majority of proposed plantings will be of native and Polynesian introduced flora. Exotic plants are requested in keeping with the character of the existing landscape and a sense of place. Introduced plants would include Monkey pod, gingers, heleconia, laua'e and monstera. Staff has no objections to planting exotic species in the developed areas of the campus where the exotic plantings shall be controlled and maintained. No exotic

plants shall be placed in or near areas to remain undisturbed. Invasive and seed producing exotic flora shall be prohibited.

Staff notes there is a large volume of earthwork proposed. Substantial excavation is anticipated. The \approx earthwork quantity is 86,000cy of excavation and 146,000cy of fill. According to the applicant, the goals for grading are to balance earthwork quantities over all of the campus improvements. Cut and fill will be balanced with each phase of the proposal. The applicant shall implement a number of required mitigative actions and best management practices by complying with government rules and regulations in regards to excavation, grading, noise, air quality, drainage, and fire protection.

Should cultural or burial sites be identified during ground disturbance, all work shall cease and the appropriate agencies notified. Consultation with community members should continue to observe and retain the traditional ahupuaa boundary of Kailua and Kaneohe. Staff notes, no grubbing, grading or topographical changes are proposed along the traditional boundary.

Although not detected during the survey, Hawaiian Petrels, Shearwaters and the Hoary Bat may be potentially impacted. All night-lights shall be shielded to mitigate potential disturbances to the avifauna and no woody plant greater than 15-feet shall be removed or trimmed from May-August.

A concern that staff had was that the improvements would add to the already unacceptable level of service for traffic. However, the University contributes to the reduction of congestion by providing transit service to students from Hawaii Loa to the Downtown location on a timely basis during the workweek. Staff further notes that DOT-Highways has stated that the proposed expansion project is not expected to significantly impact State highway facilities.

Staff notes, the consultant has commissioned a number of studies such as the archeological and cultural impact assessment, traffic analysis, engineering, drainage, electrical and mechanical systems assessments and anticipates doing additional studies such as geotechnical and a traffic signal assessment to insure proper construction, compliance and a successfully phased development.

The Master Plan for the Hawaii Loa Campus has changed over the past few decades. This is due to many factions such as funding, changes in management, evolving land use practices and concepts, and new regulations, just to name a few. This Master Plan proposal represents improvements in the long-term vision for the campus and is sensitive to the existing natural qualities of the area.

Current cost estimates for the improvements is approximately \$125 million for civil and construction costs for Phase I and II. The costs will likely be met primarily through private endowments, donations and fundraising. A specific funding program has not yet been developed. The intent of the expansion is to develop the Master Plan in the phasing described. However, internal and external factors may affect implementation.

RECOMMENDATION:

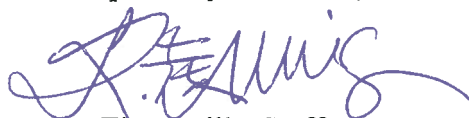
Based on the preceding analysis, Staff recommends that the Board of Land and Natural Resources APPROVE this Master Plan for the expansion of the Hawaii Pacific University Hawaii Loa Campus Expansion located at 45-045 Kamehameha Hwy., Kaneohe, Koolauapoko, Oahu, TMK: (1) 4-5-035:010 subject to the following conditions:

1. The applicant shall comply with all applicable statutes, ordinances, rules, regulations, and conditions of the Federal, State, and County governments, and applicable parts of the Hawaii Administrative Rules, Chapter 13-5;
2. The applicant, its successors and assigns, shall indemnify and hold the State of Hawaii harmless from and against any loss, liability, claim or demand for property damage, personal injury or death arising out of any act or omission of the applicant, its successors, assigns, officers, employees, contractors and agents under this permit or relating to or connected with the granting of this permit;
3. All representations relative to mitigation set forth in the application materials and in the accepted environmental assessment for this project are hereby incorporated as conditions of the permit;
4. Before proceeding with any work authorized by the Board, the applicant shall submit four (4) copies of the construction, grading and landscaping plans and specifications to the Chairperson or his authorized representative for approval for consistency with the conditions of the permit and the declarations set forth in the permit application. Three (3) of the copies will be returned to the applicant. Plan approval by the Chairperson does not constitute approval required from other agencies;
5. Any work done or construction to be done on the land shall be initiated within 2 years of the approval of such use, in accordance with construction plans that have been signed by the Chairperson, and, unless otherwise authorized, shall be completed within 12 years of the approval. The applicant shall notify the Department in writing when construction activity is initiated and when it is completed;
6. The applicant shall comply with all applicable Department of Health Administrative rules. Particular attention should be paid to Hawaii Administrative Rules (HAR) Section 11-60.1-33, "Fugitive Dust" and to Chapter 11-46, "Community Noise Control;"
7. The applicant shall plan to minimize the amount of dust generating materials and activities. Material transfer points and on-site vehicular traffic routes shall be centralized. Dusty equipment shall be located in areas of least impact. Dust control measures shall be provided during weekends, after hours and prior to daily start-up of project activities. Dust from debris being hauled away from the project

- site shall be controlled. Landscaping and dust control of cleared areas will be initiated promptly;
8. Obstruction of public roads, trails, and pathways shall be minimized. If obstruction is unavoidable, the applicant shall provide alternative roads, trails, or pathways acceptable to the department;
 9. During construction, appropriate mitigation measures shall be implemented to minimize impacts to off-site roadways, utilities, and public facilities;
 10. Cleared areas shall be revegetated within thirty (30) days of construction completion in compliance with an approved landscaping plan on file with the department;
 11. All night-lights shall be shielded to mitigate potential disturbances to avifauna;
 12. No woody plant greater than 15-feet shall be removed or trimmed from May-August to prevent potential disturbances to the Hawaiian Hoary Bat;
 13. No exotic plants shall be placed in or near areas to remain undisturbed. Exotic plantings shall be controlled and maintained. Invasive and seed producing exotic species shall be prohibited;
 14. The applicant will minimize visual impacts using appropriate lighting, color and landscaping. Existing trees shall be maintained to screen the structure from the surrounding lands;
 15. Provisions for access, parking, drainage, fire protection, safety, signs, lighting, and changes on the landscape shall be provided;
 16. In issuing this permit, the Department has relied on the information and data that the applicant has provided in connection with this permit application. If, subsequent to the issuance of this permit, such information and data prove to be false, incomplete or inaccurate, this permit may be modified, suspended or revoked, in whole or in part, and/or the Department may, in addition, institute appropriate legal proceedings;
 17. Should historic remains such as artifacts, burials or concentration of charcoal be encountered during construction activities, work shall cease immediately in the vicinity of the find, and the find shall be protected from further damage. The contractor shall immediately contact SHPD (692-8015), which will assess the significance of the find and recommend an appropriate mitigation measure, if necessary;
 18. The applicant shall provide documentation (i.e. book/page document number) that this approval has been placed in recordable form as a part of the deed instrument, prior to submission for approval of subsequent construction plans;

19. The applicant understands and agrees that this permit does not convey any vested rights or exclusive privilege;
20. Where any interference, nuisance, or harm may be caused, or hazard established by the use, the applicant shall be required to take the measures to minimize or eliminate the interference, nuisance, harm, or hazard;
21. The applicant acknowledges that the approved work shall not hamper, impede or otherwise limit the exercise of traditional, customary or religious practices in the immediate area, to the extent such practices are provided for by the Constitution of the State of Hawaii, and by Hawaii statutory and case law;
22. Should historic remains such as artifacts, burials or concentration of charcoal be encountered during construction activities, work shall cease immediately in the vicinity of the find, and the find shall be protected from further damage. The contractor shall immediately contact HPD (692-8015), which will assess the significance of the find and recommend an appropriate mitigation measure, if necessary;
23. Construction activities shall be conducted in accordance with an approved Preservation Plan by the State Historic Preservation Division;
24. Other terms and conditions as may be prescribed by the Chairperson; and
25. Failure to comply with any of these conditions shall render this Conservation District Use Permit null and void.

Respectfully submitted,



K. Tiger Mills, Staff Planner
Office of Conservation and Coastal Lands

Approved for submittal:



WILLIAM J. AILA JR, Chairperson
Board of Land and Natural Resources

Conservation District Use Application (CDUA)

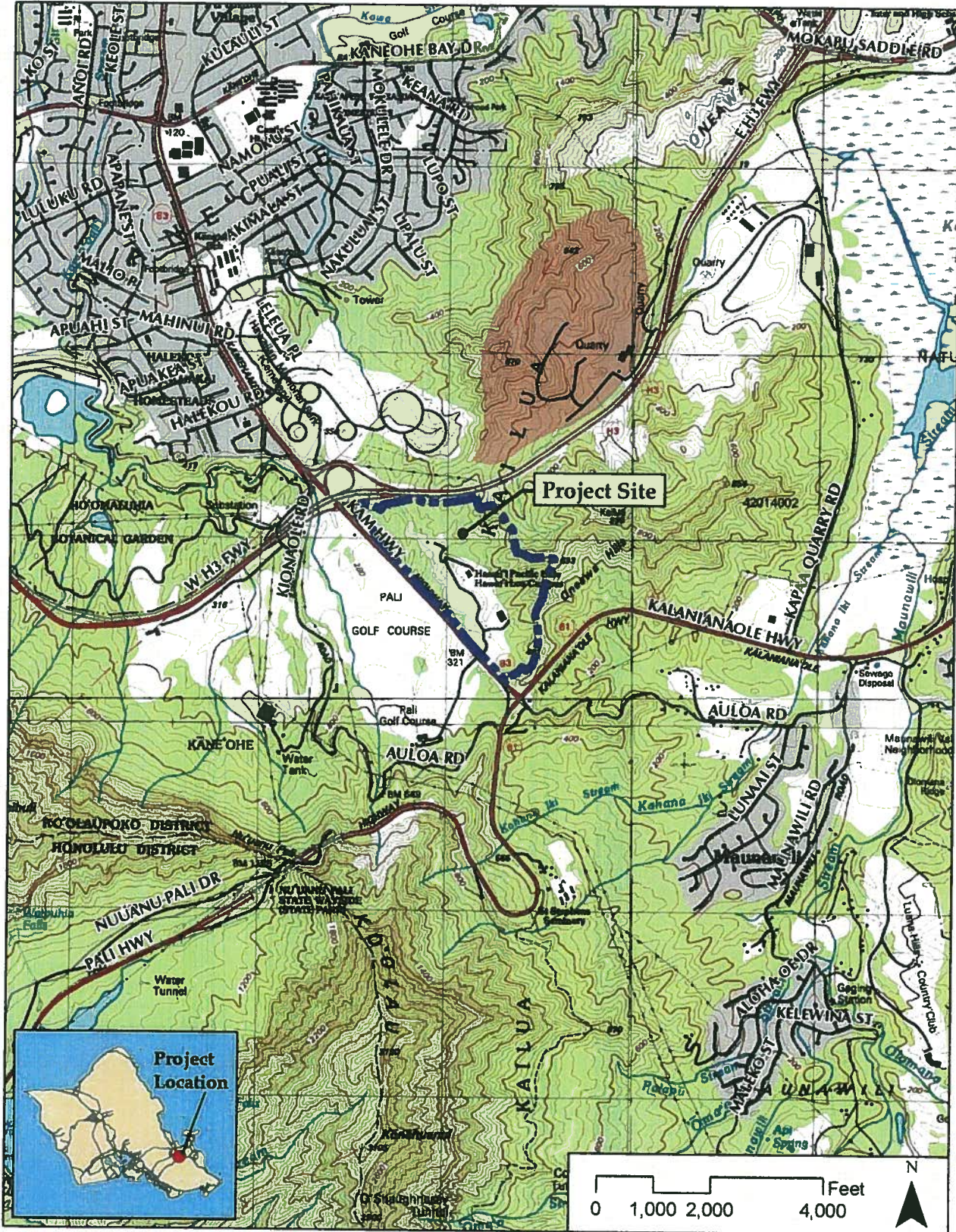


Figure 1- Location Map

EXHIBIT 1

Figure 6

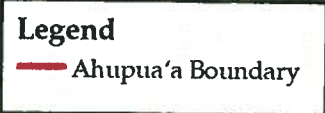


EXHIBIT 2



HAWAII PACIFIC UNIVERSITY
2 MARCH 2010

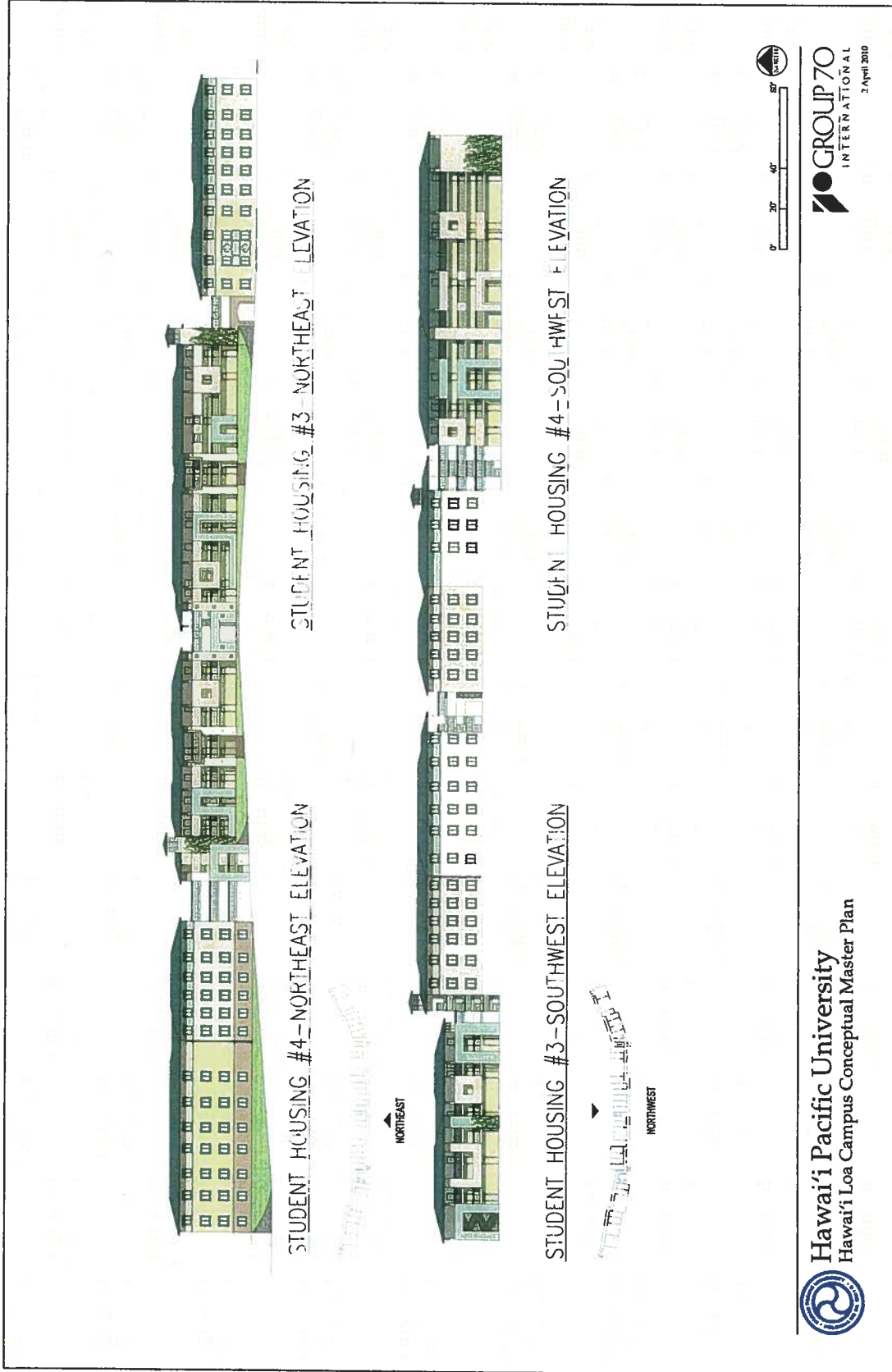


Figure 16- Student Housing Elevations 3 and 4

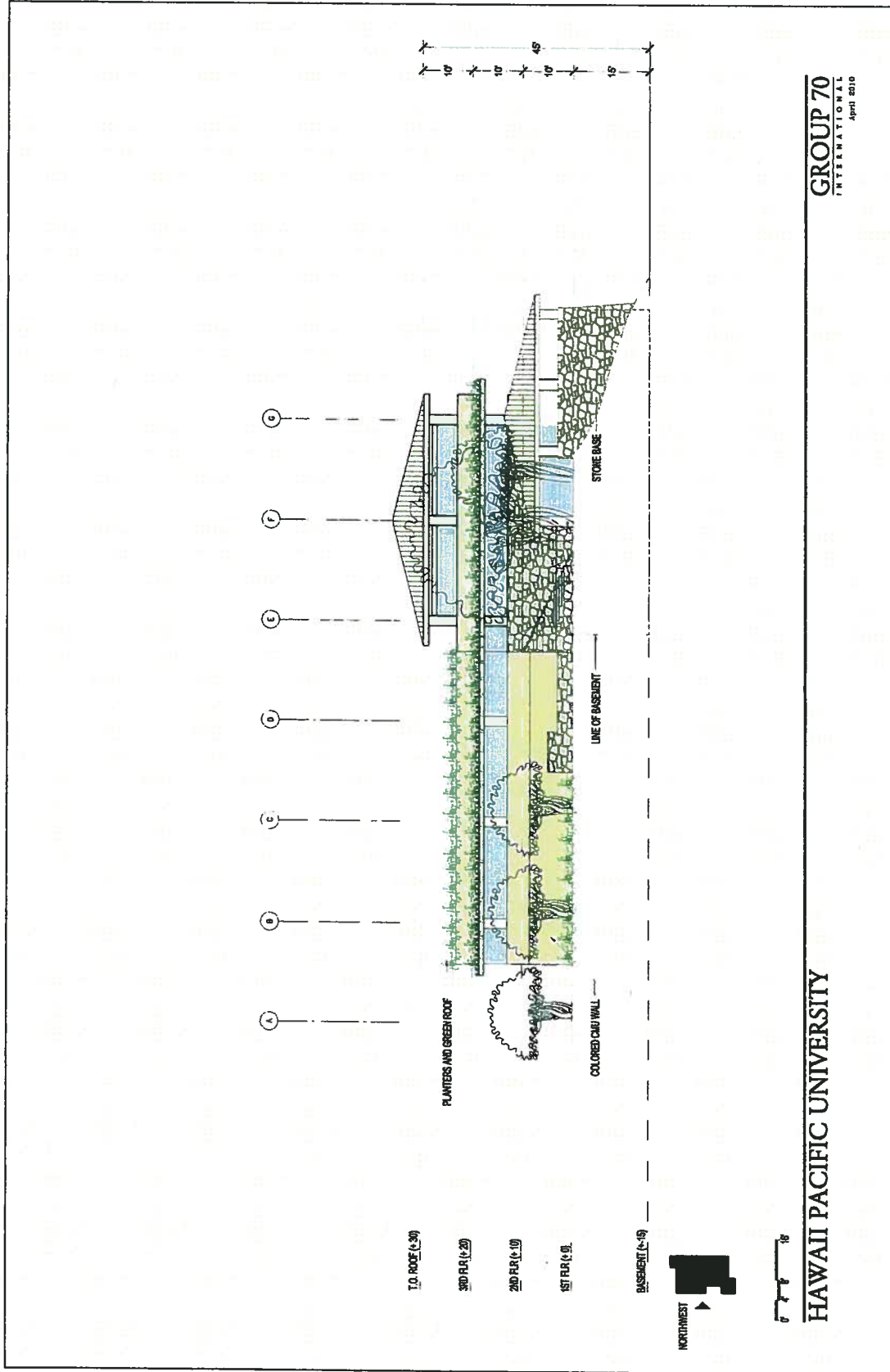


Figure 19- Student Center – Northwest Elevation

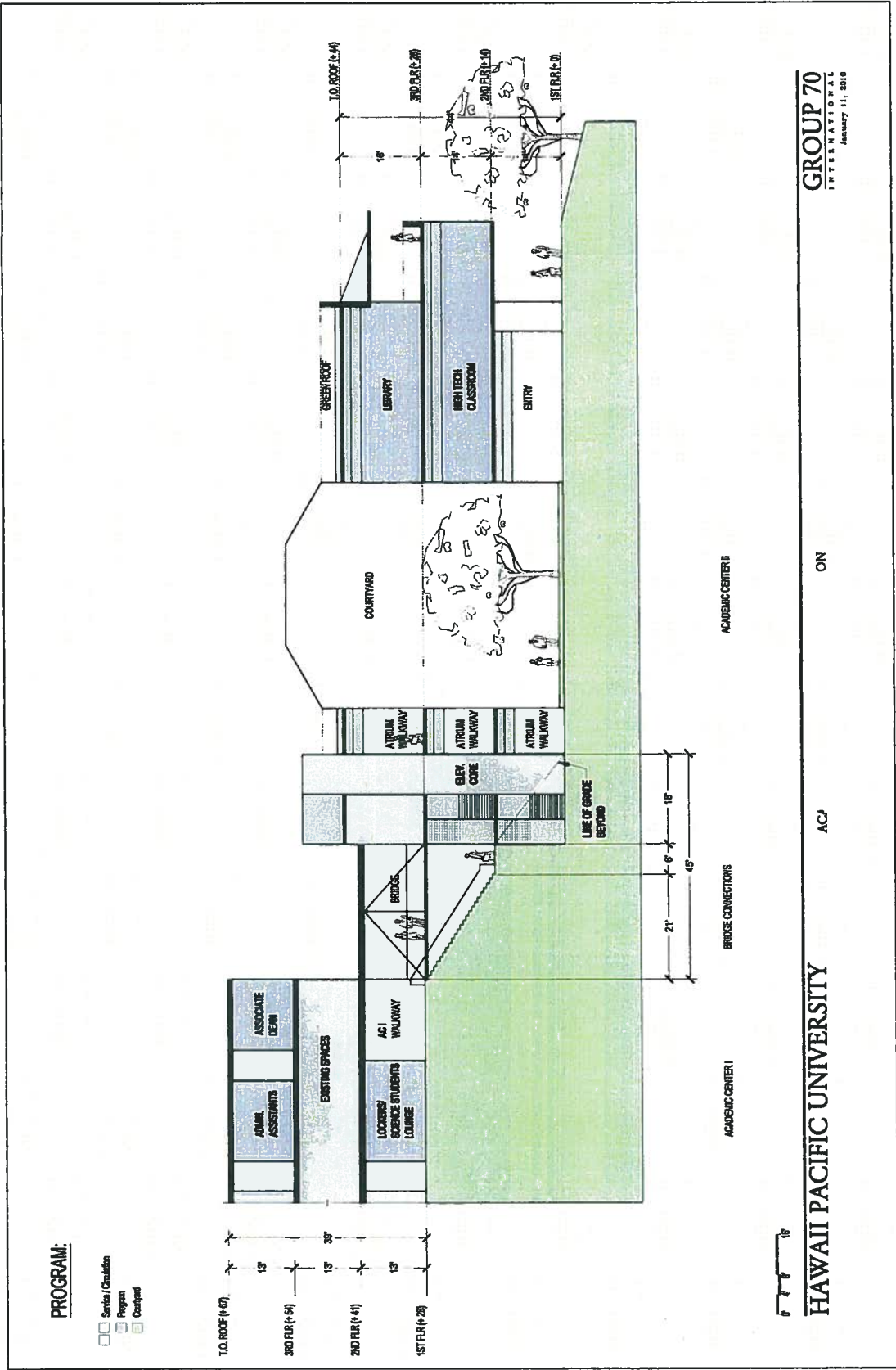


Figure 38- Academic Center I & II-Transverse Section

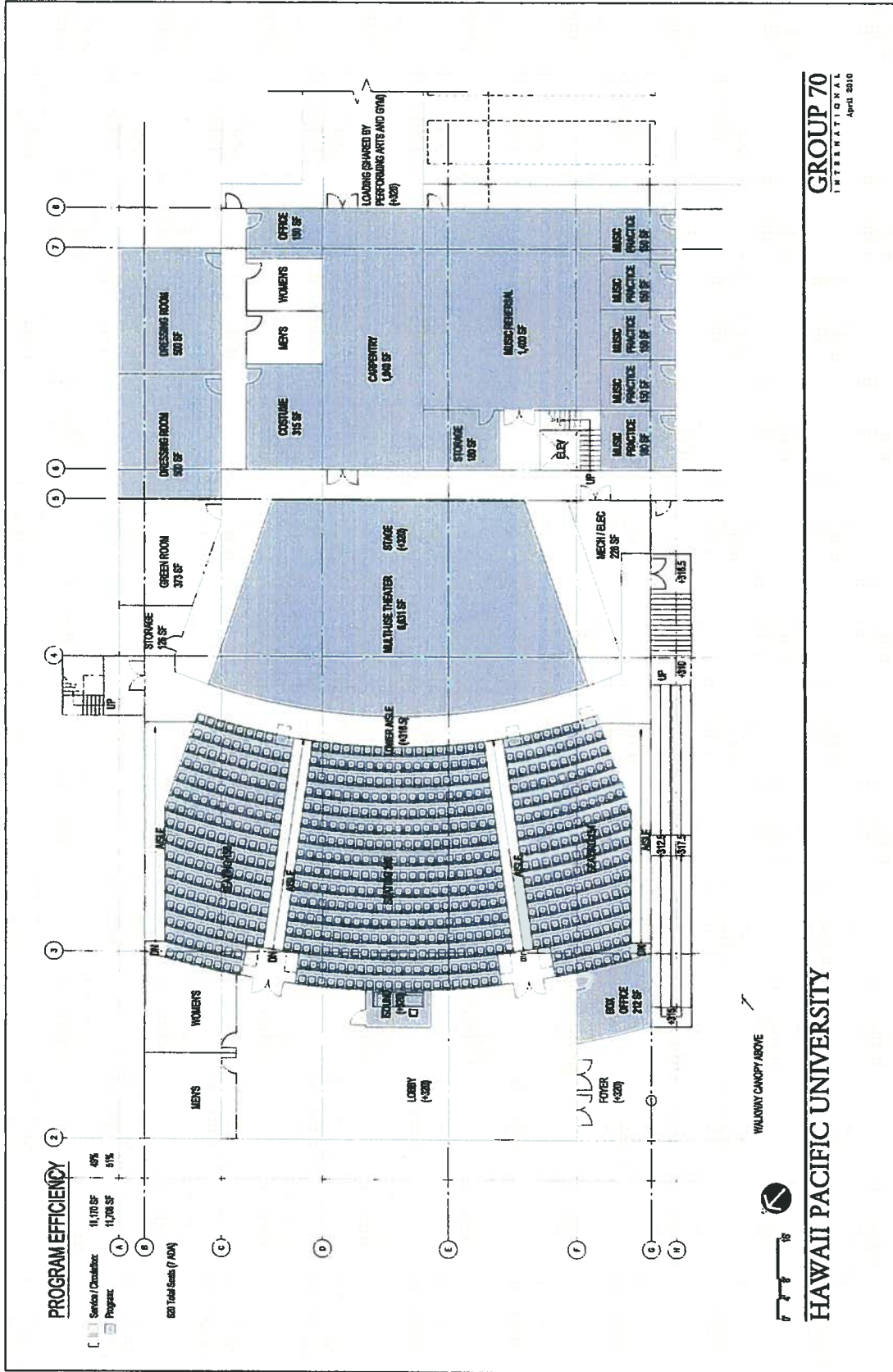


Figure 43- Performing Arts Center-First Floor